

Appln. No. 09/536,051
Amendment dated May 14, 2004
Reply to Office Action of February 17, 2004

REMARKS/ARGUMENTS

Reconsideration of the present application, as amended, is respectfully requested.

The February 17, 2004 Office Action and the Examiner's comments have been carefully considered. In response, claims are cancelled, amended and added, and remarks are set forth below in a sincere effort to place the present application in form for allowance. The amendments are supported by the application as originally filed. Therefore, no new matter is added.

CLAIM OBJECTIONS

In the Office Action, claim 18 is objected to because of an informality. In response, claim 18 has been amended to correct the informality identified by the Examiner. In view of the amendment of claim 18, reconsideration and withdrawal of the objection to claim 18 are respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner's indication that claims 4, 8, 9, 12 and 20, are objected to as being dependent upon a rejected base claimed, but would be allowable if rewritten in independent form is acknowledged and appreciated. These claims are not written in

Appln. No. 09/936,051
Amendment dated May 14, 2004
Reply to Office Action of February 17, 2004

independent form at this time in view of Applicant's belief as to the allowability of the claims upon which they depend.

PRIOR ART REJECTIONS

In the Office Action, Claims 1-3, 5-7, 10, 11, 13-19, 21 and 22 are rejected under 35 USC 102(e) as being anticipated by USP 6,665,095 (Janssen).

In response, claim 1 is cancelled and claim 2 is rewritten in independent form. Claim 11 is amended to be consistent with claim 4, the dependency of claim 16 is changed from "1" to --2-- and claim 23 is added.

The present claimed invention as defined by amended claim 2 is directed to a textile printing apparatus including inputting means for inputting image data, a display to indicate an image based on the image data input by the inputting means, image processing means for applying image processing to the image data so as to make colors of the image indicated on the display close to desired colors, and a printer to print the image on a fabric based on the image data applied with the image processing by the image processing means. The image processing means applies a first color converting processing to the image data input by the inputting means in accordance with a kind of fabric and indicates the image on the display based on the image data applied with the

Appln. No. 09/536,051
Amendment dated May 14, 2004
Reply to Office Action of February 17, 2004

color converting processing. The image processing means applies a converting processing to the image data applied with the image processing by the image processing means in accordance with the kind of fabric, and the printer prints the image on the fabric based on the image data applied with the converting processing.

USP 6,665,095 (Janssen et al.) is directed to an apparatus for hybrid printing, and more specifically, to ink-jet printing onto textiles using spot color, process color and hybrid color printing modes. Depending upon the pattern to be printed, the number of colors required, and the number of colors available that can be printed by the ink-jet printing system, software is used to ink-jet print ink onto a textile in the pre-selected pattern. Janssen et al. do not take into account the kind of fabric on which the printing is to occur for altering printing.

An object of Janssen is to express a larger gamut by using a spot color printing mode, a processing printing mode, and/or a hybrid of both spot and process color printing modes. On the other hand, one of the objects of the present claimed invention is to adjust a color difference with regard to a difference of a kind of a textile fabric, which is not disclosed nor suggested in Janssen.

Independent claim 2 is patentable over Janssen et al. because Janssen et al. do not disclose, teach or suggest "the

Appln. No. 09/536,051
Amendment dated May 14, 2004
Reply to Office Action of February 17, 2004

image processing means applies a first color converting processing to the image data input by the inputting means in accordance with a kind of the fabric" and "the image processing means applies a converting processing to the image data applied with the image processing by the image processing means in accordance with the kind of the fabric" as recited in claim 2 (see claim 2, lines 12-20).

Claims 3-16 are patentable over Janssen et al. in view of their dependence on claim 2 and because Janssen et al. do not disclose, teach or suggest each of the limitations set forth in claims 3-16.

With respect to claim 10, Janssen et al. do not teach "receiving means" and "transmitting means" as specifically defined in claim 10.

Independent claim 17 is directed to a textile printing data producing apparatus which includes receiving means for receiving data obtained by measuring colors of color patch formed by spraying plural different color inks for fabric to be printed, determining means for determining ink spraying data corresponding to a kind of fabric to be printed on the received data, and transmitting means for transmitting the determined ink spraying data.

Appln. No. 09/536,051
Amendment dated May 14, 2004
Reply to Office Action of February 17, 2004

Janssen et al. do not disclose, teach or suggest the receiving means and transmitting means as specifically recited in claim 17. In claim 17, what is received is data obtained by measuring colors of color patch by spraying plural different color inks for fabric to be printed, and what is transmitted is the determined ink spraying data (see claim 17, lines 3-5 and 9-10). These limitations, inter alia, are not disclosed, taught or suggested in Janssen et al.

Claims 18-22 are either directly or indirectly dependent on claim 17 and are patentable over the cited references in view of their dependence on claim 17 and because the references do not disclose, teach or suggest each of the limitations set forth in claims 18-22.

With respect to claim 18, Janssen does not disclose, teach or suggest "a mixing ratio of different color inks . . . corresponding to the kind of the fabric to be printed" as specifically recited in claim 18 (see claim 18, lines 3-6).

In view of all of the foregoing, claims 2-22 are patentable over the cited references under 35 USC 102 as well as 35 USC 103.

NEW CLAIM

Claim 23 is added to the present application. Claim 23 is an independent claim and is patentable over the cited references

Appln. No. 09/536,051
Amendment dated May 14, 2004
Reply to Office Action of February 17, 2004

for reasons, inter alia, set forth above in connection with claims 2 and 17. More specifically, claim 23 is patentable over the references of record because the references do not disclose, teach or suggest, inter alia:

an adjuster which adjusts the received image data to be sent to the display in order to change a displayed color on the display; and/or

a converter which converts the adjusted image data into print image data to be used for print, wherein the converter has a converting table being provided according to a kind of a textile and having an information with respect to a maximum ink amount per unit area of the textile (see claim 23, lines 5-12).

In view of the foregoing, claim 23 is patentable over the references of record under 35 USC 102 as well as 35 USC 103.

It is respectfully submitted that no additional fees are due for the presentation of claim 23 since the present application does not currently include more independent (3) or total claims (22) than the highest number of independent and total claims for which payment was previously made. However, if any additional fees are due, please charge our Deposit Account No. 06-1378 for such sum.

* * * * *

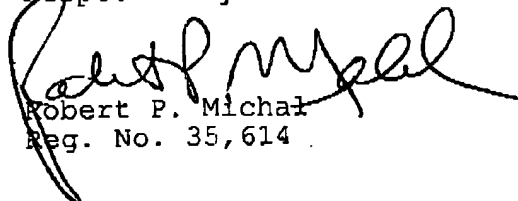
Appln. No. 09/536,051
Amendment dated May 14, 2004
Reply to Office Action of February 17, 2004

Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner disagrees with any of the foregoing, the Examiner is respectfully requested to point out where there is support for a contrary view.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



Robert P. Michael
Reg. No. 35,614

Frishauf, Holtz, Goodman & Chick, P.C.
767 Third Avenue - 25th Floor
New York, New York 10017-2032
Tel. (212) 319-4900
Fax (212) 319-5101
RPM/ms